

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

IN RE: : Chapter 11  
NORTHWESTERN CORP., : Bankruptcy Case No. 03-12872-CGC  
Debtors. :  

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MAGTEN ASSET MANAGEMENT CORP., :  
Appellant, :  
v. : Civil Action No. 04-1279-JJF  
PAUL HASTINGS JANOFSKY & :  
WALKER LLP, :  
Appellee. :  

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MAGTEN ASSET MANAGEMENT CORP., :  
Appellant, :  
v. : Civil Action No. 04-1389-JJF  
NORTHWESTERN CORP., :  
Appellee. :  

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MAGTEN ASSET MANAGEMENT CORP., :  
et al., :  
Appellants, :  
v. : Civil Action No. 05-0209-JJF  
NORTHWESTERN CORP., et al., :  
Appellees. :  

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MAGTEN ASSET MANAGEMENT CORP., :  
Appellant, :  
v. : Civil Action No. 05-398-JJF  
PAUL HASTINGS JANOFSKY :  
& WALKER, LLP., :  
Appellee. :

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MAGTEN ASSET MANAGEMENT CORP., :	
et al., :	
Appellants, :	
v. :	Civil Action No. 05-548-JJF
NORTHWESTERN CORP., :	
Appellee. :	
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LAW DEBENTURE TRUST COMPANY OF:	
NEW YORK, :	
Appellant, :	
v. :	Civil Action No. 05-603-JJF
NORTHWESTERN CORP., :	
Appellee. :	

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O R D E R

WHEREAS, counsel for Magten Asset Management Corp. filed a letter indicating that mediation concluded on December 14, 2005, without a settlement; however, that letter referred generally to the In re Northwestern Corporation cases, but did not specify any case numbers, and was docketed only in Civil Action No. 04-1256;

WHEREAS, the Court has numerous appeals and other actions related to the Northwestern bankruptcy;

WHEREAS, in several cases, the last substantive docket entry is a letter to the Court from Joseph D. Pizzurro dated November 10, 2005, indicating that a mediator, Alan B. Miller has been selected and is checking for potential conflicts ( see D.I. 47 in Civil Action No. 04-1279, D.I. 90 in Civil Action No. 04-1389, D.I. 24 in Civil Action No. 05-398);

WHEREAS, no further updates have been provided to the Court in those cases, and it appears that no order was entered by the Court specifically appointing Mr. Miller as mediator in those cases;

WHEREAS, according to the dockets, it also appears that briefing has been completed in Civil Action Nos. 04-1279, 04-1389, 05-209; however, the Court is waiting for further information to be submitted from the parties, leaving the Court with the impression that these cases are still in a mediation posture (see D.I. 47 in Civil Action No. 04-1279 (Mr. Pizzurro's letter that Mr. Miller is checking for conflicts), D.I. 90 in Civil Action No. 04-1389 (same), D.I. 27 in Civil Action No. 05-209 (Order referring the case to mediation));

WHEREAS, briefing has not been initiated or completed in Civil Action Nos. 05-398, 05-548 and 05-603; however, the last substantive docket entries in those cases also suggests a mediation posture (see D.I. 24 in Civil Action No. 05-398 (Mr. Pizzurro's letter that Mr. Miller is checking for conflicts), D.I. 14 in Civil Action No. 05-548 (letter from Dale R. Dube and William E. Chipman requesting an extension of time to select a mediator), D.I. 11 in Civil Action No. 05-603 (same));

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The parties shall provide a joint status letter(s) by **April 4, 2006** as to each of the following cases:

a. Magten Asset Management Corp. v. Paul Hastings Janofsky & Walker LLP, Civil Action No. 04-1279-JJF;

b. Magten Asset Management Corp. v. Northwestern Corp., Civil Action No. 04-1389-JJF;

c. Magten Asset Management Corp., et al. v. Northwestern Corp., Civil Action No. 05-209-JJF;

d. Magten Asset Management Corp. v. Paul Hastings Janofsky & Walker LLP, Civil Action No. 05-398-JJF;

e. Magten Asset Management Corp., et al. v. Northwestern Corp., Civil Action No. 05-548-JJF;

f. Law Debenture Trust Company of New York v. Northwestern Corp., Civil Action No. 05-603-JJF.

2. All correspondence and filings shall designate specific case numbers and be docketed in accordance with those case numbers, unless the case has been consolidated, in which event all filings shall be made in the lead cases.

March 21, 2006

DATE

  
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UNITED STATES DISTRICT JUDGE